

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

JOHN DOE,

Plaintiff,

Civ. Action No. 3:22-cv-00346

v.

**MARSHALL UNIVERSITY
BOARD OF GOVERNORS; and,
DEBRA HART, in her individual and official
capacity,**

Defendants.

MEMORANDUM IN SUPPORT OF JOINT MOTION TO STAY

Pursuant to Local Rule 7.1(a), the parties hereby submit this memorandum in support of their joint motion to stay proceedings pending Plaintiff's completion of in-patient medical treatment related to the allegations in his complaint.

1. On November 3, 2023, Plaintiff was voluntarily admitted for in-patient treatment.
2. The facility where Plaintiff is receiving treatment is located in Jacksonville, Florida.
3. The duration of Plaintiff's treatment is unknown at this time.
4. The parties have agreed to request a stay in this matter pending Plaintiff Doe's discharge from in-patient treatment.
5. The parties will request the Court lift the stay upon Doe's discharge from treatment and will provide a joint status report to the Court every three months, if Plaintiff's in-patient treatment lasts more than three months.

Therefore, the parties jointly request that the Court vacate the operative Scheduling Order (ECF 93) and stay proceedings until Plaintiff is discharged from treatment.

Dated: November 22, 2023

Respectfully submitted,

/s/ Kayla S. Reynolds

Ryan M. Donovan (WVSB #11660)
Kayla S. Reynolds (WVSB #13268)
HISSAM FORMAN DONOVAN RITCHIE PLLC
P.O. Box 3983
Charleston, WV 25339
681-265-3802 *office*
304-982-8056 *fax*
rdonovan@hfdrlaw.com
kreynolds@hfdrlaw.com

/s/ Christopher K. Weed

Perry W. Oxley (WVSB #7211)
J. Jarrod Jordan (WVSB #10622)
Christopher K. Weed (WVSB #13868)
OXLEY RICH SAMMONS, PLLC
517 9th Street, Suite 1000
Huntington, WV 25701
(304) 522-1138
poxley@oxleylawwv.com
jjordan@oxleylawwv.com
cweed@oxleylawwv.com